

BILL NO. Z-87- 10-08

ZONING MAP ORDINANCE NO. Z-

*Withdrawn*

AN ORDINANCE amending the City of  
Fort Wayne Zoning Map No. L-38.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is  
hereby designated a RA (Suburban Residential) District under  
the terms of Chapter 33 of the Code of the City of Fort  
Wayne, Indiana of 1974:

Part of the Southwest Quarter of Section 14, Township  
31 North, Range 12 East, more particularly described as  
follows: Beginning at the point of intersection of the  
centerline of Ludwig Road and the Northerly extension  
of the East right-of-way of Rodenbeck Drive, a public  
thoroughfare in Rodenbeck's Addition in the aforesaid  
section, township and range; thence East along the said  
centerline of Ludwig Road a distance of 755 feet more  
or less to a point situated 20 feet west of the west  
right-of-way line of Penn Central railroad; thence  
south along a line 20 feet west and parallel with the  
aforesaid railroad right-of-way line a distance of 2100  
feet, more or less, to a point 20 feet north of the  
north right-of-way line of Interstate Highway 69;  
thence proceeding southwesterly on a line parallel with  
and 20 feet north of the said north right-of-way line  
of Interstate 69 a distance of 970 feet, more or less,  
to the north right-of-way line of Washington Center  
Road thence West along the said North line a distance  
of 80 feet, more or less, to the east right-of-way line  
of Rodenbeck Drive; thence northerly along the said  
east right-of-way line of Rodenbeck Drive a distance of  
2644 feet to the point of beginning containing 41.2  
acres, more or less, and subject to all easement of  
record,

and the symbols of the City of Fort Wayne Zoning Map No.  
L-38, as established by Section 11 of Chapter 33 of the Code  
of the City of Fort Wayne, Indiana are hereby changed  
accordingly.

SECTION 2. That this Ordinance shall be in full force  
and effect from and after its passage and approval by the  
Mayor.

*Janet G. Bradbury*  
Councilmember

APPROVED AS TO FORM AND LEGALITY:

*Bruce O. Boxberger*  
BRUCE O. BOXBERGER, CITY ATTORNEY



Read the first time in full and on motion by Bradbury, seconded by Gidd, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_, day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: 10-13-87

S.E.K.  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	_____	_____	_____	_____
<u>HENRY</u>	_____	_____	_____	_____
<u>LONG</u>	_____	_____	_____	_____
<u>REDD</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____

DATED: \_\_\_\_\_

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. \_\_\_\_\_

on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_,

ATTEST

SEAL

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

PAUL HELMKE, MAYOR

# RECEIPT

OK # 5068

COMMUNITY DEVELOPMENT & PLANNING

No 2736

FT. WAYNE, IND., 9-18 1987

RECEIVED FROM Turnbell Corp. \$ 50.00

THE SUM OF fifty 00/ 100 DOLLARS

ON ACCOUNT OF R-1 to RA

rezone

6300 Rodenbeck

AUTHORIZED SIGNATURE



THIS IS TO BE FILED IN DUPLICATE

RECEIPT NO. \_\_\_\_\_

DATE FILED \_\_\_\_\_

INTENDED USE \_\_\_\_\_

I/We Developers Marketing Group

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an RA District the property described as follows:

Part of the Southwest Quarter of Section 14, Township 31 North, Range 12 East more particularly described as follows: Begining at the point of intersection of the centerline of Ludwig Road and the Northerly extension of the East right-of-way Rodenbeck Drive, a public thoroughfare in Rodenbeck's Addition in the aforesaid section, township and range; thence East along the said centerline of Ludwig Road a distance of 755 feet more or less to a point situated 20 feet west of the west (Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

6300 RODENBECK DRIVE

Note Deed Record of Adjoining 20 WIDE Parcel D.R. 684-275  
(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Wilmer Rodenbeck

4723 Kroemer Rd

Wilmer Rodenbeck

LaVerne LINNEMEIER

10109 BETHEL RD.

LaVerne Linnemeier

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_

(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Turnbell Engineering Co., Inc.

(Name)

519 Tennessee Avenue, Ft. Wayne

(Address & Zip Code)

46805 422-4630

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.



**Legal Description of property to be rezoned.**

right-of-way line of Penn Central railroad; thence south along a line 20 feet west  
and parallel with the aforesaid railroad right-of-way line a distance of 2100 feet ± to  
a point 20 feet north of the north right-of-way line of Interstate Highway 69; thence  
proceeding southwestly on a line parallel with and 20 feet north of the said north  
right-of-way line of Interstate 69 a distance of 970 feet more or less to the north  
right-of-way line Washington Center Road, thence West along the said North line  
a distance of 80 feet more or less to the east  
right-of-way line of Rodenbeck Drive; thence northerly along the said east right-of-way  
line of Rodenbeck Drive a distance of 2644 feet to the point of beginning containing  
41.2 acres more or less and subject to all easement of record.

**Owners of Property**

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE  
This form is to be filed in duplicate.

NOTICE:  
FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST  
"OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.  
  
FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING  
FROM BEING HELD.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 13, 1987, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-10-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 19, 1987.

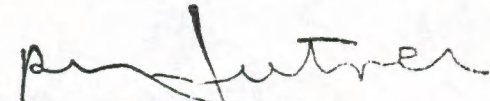
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 28, 1987.

Certified and signed this  
4th day of January 1988.

  
\_\_\_\_\_  
Robert Hutner  
Secretary



ORIGINAL

Admn. Appr. \_\_\_\_\_

COUNCILMANIC DISTRICT No. \_\_\_\_\_

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE \_\_\_\_\_

Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE \_\_\_\_\_

Land Use Management - CD&P

SYNOPSIS OF ORDINANCE \_\_\_\_\_

6300 Rodenbeck Drive

3-27-10-08

EFFECT OF PASSAGE \_\_\_\_\_

Property is presently zoned R-1 - Single Family

Residential District. Property will become RA - Suburban Residential District.

EFFECT OF NON-PASSAGE \_\_\_\_\_

Property will remain R-1 - Single Family

Residential District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE (J.N.)) \_\_\_\_\_

**FACT SHEET**

Z-87-10-08

BILL NUMBER

**Division of Community  
Development & Planning****BRIEF TITLE**

Zoning Ordinance Amendment

**APPROVAL DEADLINE****REASON**

From R-1 to RA

**DETAILS****Specific Location and/or Address**

6300 Rodenbeck Drive

**Reason for Project**

Multi Family Development

**Discussion (Including relationship to other Council actions)**19 October 1987 - Public Hearing

(See Attached Minutes)

26 October 1987 - Business Meeting

This rezoning request was deferred by the City Plan Commission until such time as the developers could present a development plan to the Commission.

28 December 1987 - Business Meeting

The petitioner requested and was granted a withdrawal of the rezoning request.

Of the eight members present seven (7) voted in favor of the motion to withdraw one (1) did not vote. Motion to withdraw the petition carried.

**POSITIONS****RECOMMENDATIONS****Sponsor**

City Plan Commission

**Area Affected**

City Wide

Other Areas

**Applicants/  
Proponents**

Applicant(s)  
Wilmer Rodenbeck  
Laverne Linnemeier  
City Department

Other

**Opponents**

Groups or Individuals  
See Attached Minutes for  
List of Opposition  
Basis of Opposition

**Staff  
Recommendation**☒ For ☐ Against

Reason Against

**Board or  
Commission  
Recommendation**

By

☐ For ☐ Against  
☒ No Action Taken

☐ For with revisions to conditions  
(See Details column for conditions)  
Withdrawn by Petitioner

**CITY COUNCIL  
ACTIONS  
(For Council  
use only)**

☐ Pass ☐ Other  
☐ Pass (as amended) ☐ Hold  
☐ Council Sub. ☐ Do not pass



# DETAILS

## POLICY/ PROGRAM IMPACT

Policy or  
Program  
Change

☐

No

☐

Yes

Operational  
Impact  
Assessment

(This space for further discussion)

Project Start

Date 18 September 1987

Projected Completion or Occupancy

Date 4 January 1988

Fact Sheet Prepared by  
Patricia Biancaniello

Date 4 January 1988

Reviewed by

Date

Reference or Case Number

7 January 1988



- e. Bill No. Z-87-10-08 - Change of Zone #301  
From R-1 to RA  
6300 Rodenbeck Drive

Mark Strong with Turnbell Engineering, representing the developer appeared before the Commission. He stated that this property as presently zoned has problems considering its proximity to I-69, the airport the commercial property and railroad to the east. He stated that they are proposed to build some quality condominiums in this area. He stated that they feel it would be an excellent buffer in this space between the commercial and single family. He stated that the plans they will present at the next public hearing will provide for the streets in the development to remain separated from the neighboring areas so that they would not be increasing traffic in the Ludwig Park area. He stated also the streets would be private. He stated that they would have City water and sewer. He stated that they have proposed retention ponds which would help the neighboring areas. He stated that they have worked diligently with Ludwig Park. He stated that they had meeting with the Officers of the Association and the Association themselves. He stated that he felt they have satisfied most of their concerns.

Paul DeWald, President of the Ludwig Park Community Association stated that they had a meeting about 3 weeks ago with about 80 members of the association present. He stated that by almost a 5 to 1 margin they approved the plans presented. He stated that the Board did not vote for it the people did.

The following people spoke in opposition to the proposed development:

Nancy Kloha, 816 Ludwig Park  
Robert Ohm, 937 Wolverton  
Forest Anderson, 824 Ludwig Park Drive  
Lavida Smith  
Dave Daniels, 1223 Orlando Drive  
Tom Harbst, 709 Ludwig Park Drive

The following points of opposition were stated.

- multi-family would be a detriment to the single family land values in the area;

- traffic is already a serious problem in area; Washington Center Road is inadequate for the amount of traffic it carries presently and there are no immediate plans to improve it; Ludwig Road and Coldwater Road are heavily traveled and very busy during rush hours;

- public safety for people in the area will be jeopardized if more of the land surrounding Smith Field's flight pattern is developed;



- it was stated that several years ago they wanted to use this property to put in a playground and they were informed that this property was in Smith Field's flight pattern and could not put it in, why then can they put in condominiums;

- felt they were misled by developer at Association meeting who told them that this property could be used for low-income housing or some other less comely project than the one presented;

- what if property is rezoned and the present developers plans fall through, someone else could come in and put in a project that would not be as attractive as this one

Janet Bradbury questioned staff about the flight pattern.

Wayne O'Brien stated that Mr. Strong should be able to answer any questions about the flight pattern.

Mark Strong stated that they did not use scare tactics to obtain the support of the association. He stated that they simply pointed out that there were other possible uses for the property that would be less acceptable. He stated that they have talked to the airport several times about the project. He stated that they are concerned that they might get phone calls because of the noise level but they had no objections to the project. He stated that they plan to keep the development south several hundred feet from Ludwig Road in order to avoid the projected flight pattern. He stated that the traffic issue is something they talked about in length the night they met with the association. He stated that it is their intention at this time to prevent any of their traffic from entering Ludwig Park Association. He stated they could do that if they go with a condominium project, but if they have to go with single family they will not be able to they would have to tie their streets in with Ludwig Park. He stated that this is not a high density project considering it is less than 10 dwellings per acre. Mr. Strong stated that the quality is certainly there for this project and will not be a detriment to the areas property values.

The following people submitted letters in opposition to the proposed rezoning.

Emery Right

Mrs. Mary Smith

Gerald & Ruth A. Neu, 1018 Pelham Drive

Lillian Levy, 1025 Pelham Drive

Lavida Smith, 927 Ludwig Park Drive

Charles F. Smith, 812 Orlando Drive

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.



**DEVELOPER'S  
MARKETING  
GROUP, INC.**  
A RINEHOLD & ASSOCIATES COMPANY  
P. O. BOX 15603  
FORT WAYNE, INDIANA 46885

December 28, 1987

City Plan Commission  
City of Fort Wayne

Gentlemen:

I Tom Rinehold, President of Developers Marketing Group, Inc., do respectfully request that the change of zoning located at 6300 Rodenbeck Drive and the Primary Development Plan for the Lakes of Ludwig be withdrawn.

Sincerely:

*Tom Rinehold*

Tom Rinehold, President  
Developers Marketing Group, Inc.



BILL NO. Z-87-10-08

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City  
of Fort Wayne Zoning Map No. L-38

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~) Withdrawn

YES

NO

Janet G. Bradbury JANET G. BRADBURY  
CHAIRPERSON  
Mark E. GiaQuinta MARK E. GIAQUINTA  
VICE CHAIRMAN  
Charles B. Redd CHARLES B. REDD  
David C. Long DAVID C. LONG  
Paul M. Burns PAUL M. BURNS

J. H. B.

CONCURRED IN 1-12-18

Sandra E. Kennedy  
Sandra E. Kennedy  
City Clerk

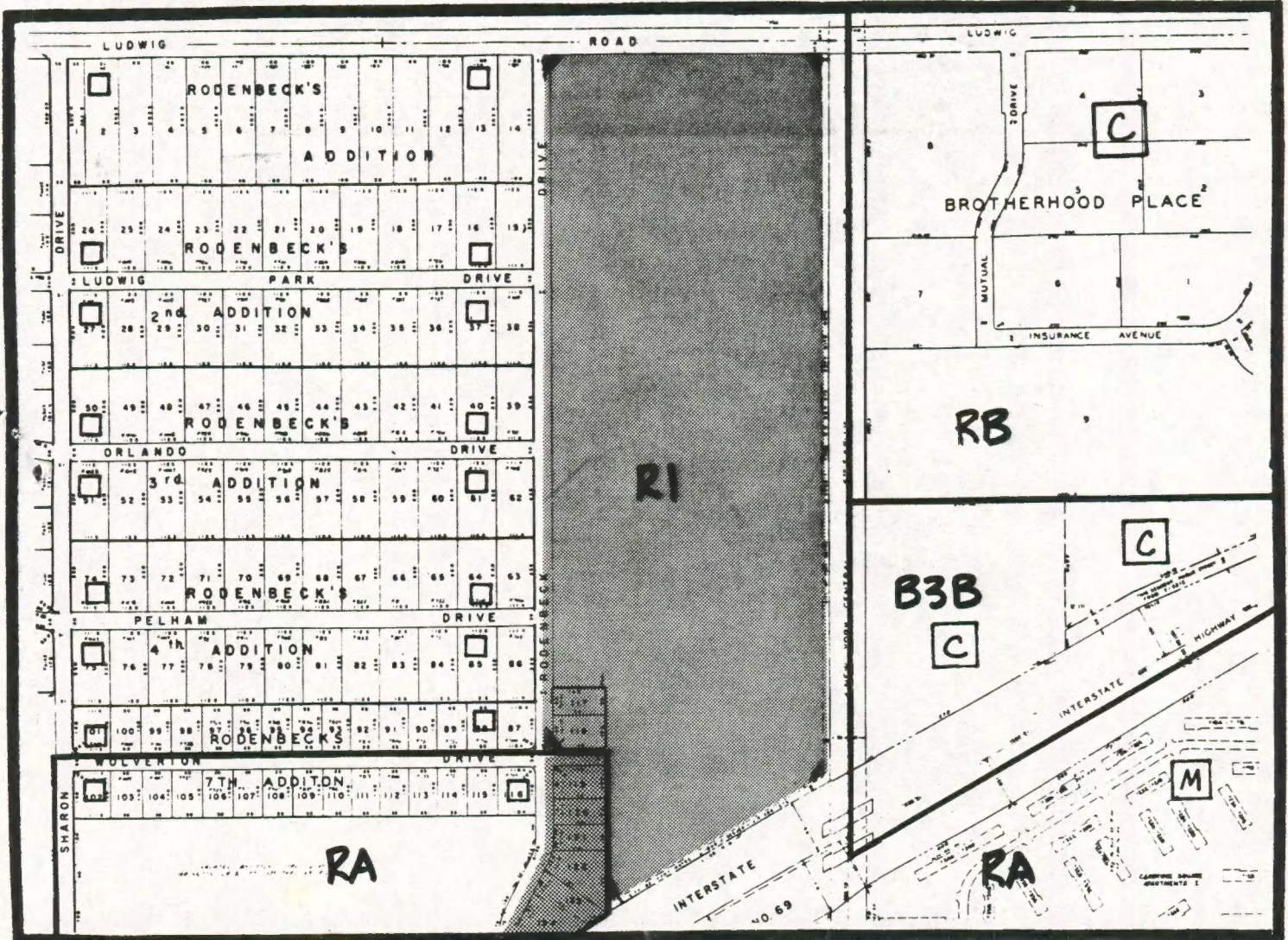


# REZONING PETITION #501

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A RI DISTRICT TO A RA DISTRICT.

MAP NO. L-38

COUNCILMANIC DISTRICT NO. 3



## ZONING:

B3B GENERAL BUSINESS 'B'

RA RESIDENCE 'A'

RI RESIDENTIAL DISTRICT

## LAND USE:

□ SINGLE FAMILY

Ⓜ MULTI-FAMILY

Ⓢ COMMERCIAL

SCALE: 1" = 300'

DATE: 10-2-87

